

Our Ref. No.: 051876.P427

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Byung-Su Kang et al.,

Serial No. 10/734,839

Filed: December 11, 2003

For: **VOLTAGE CONTROLLED  
OSCILLATOR USING PHOTONIC  
BANDGAP STRUCTURE AND  
FEEDFORWARD CIRCUIT AND  
METHOD THEREOF**

Examiner: Reifsnyder, David A

Art Group: 1723

Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE OF ALLOWANCE IN  
NOTICE OF ALLOWABILITY**

Dear Commissioner:

This is in response to the Notice of Allowance and Notice of Allowability mailed December 20, 2004 in connection with the above-identified matter.

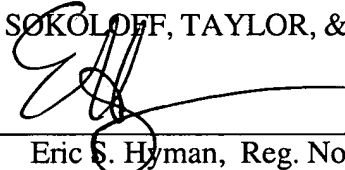
In reviewing the Notice of Allowability, it has been noted that the claims identified refer to the claims in an application other than Serial No. 10/734,839. In this connection, it is noted that in the Information Disclose Statement by applicant associated with the Notice of Allowance refers to Application Serial No. 10/738,439. In this connection, it is believed that somehow application papers from Serial No. 10/734,839 and 10/738,439 have been intermingled resulting in the erroneously issued Notice of Allowance.

Accordingly, withdrawal of the Notice of Allowance and issuance of an Action on the merits is requested with respect to Serial No. 10/734,839.

Respectfully submitted,

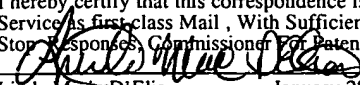
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

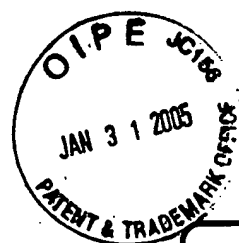
Dated: 1/27/05

By:   
Eric S. Hyman, Reg. No. 30,139

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(310) 207-3800

**CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class Mail, With Sufficient Postage, In An Envelope Addressed To: Mail Stop Responses, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
 1-28-05  
Linda Marte D'Elia January 28, 2005



B  
JFW

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/734,839
		Filing Date	December 11, 2003
		First Named Inventor	Byung-Su Kang
		Art Unit	1723
		Examiner Name	Reifsnnyder, David A
Total Number of Pages in This Submission	3	Attorney Docket Number	51876P427

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">return postcard</div>
Remarks		
<b><u>RESPONSE TO NOTICE OF ALLOWANCE IN NOTICE OF ALLOWABILITY</u></b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	01/27/05

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Linda D'Elia		
Signature		Date	1-28-05